

Article - Labor and Employment

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§9–745.

- (a) The proceedings in an appeal shall:
 - (1) be informal and summary; and
 - (2) provide each party a full opportunity to be heard.
- (b) In each court proceeding under this title:
 - (1) the decision of the Commission is presumed to be prima facie correct; and
 - (2) the party challenging the decision has the burden of proof.
- (c) The court shall determine whether the Commission:
 - (1) justly considered all of the facts about the accidental personal injury, occupational disease, or compensable hernia;
 - (2) exceeded the powers granted to it under this title; or
 - (3) misconstrued the law and facts applicable in the case decided.
- (d) On a motion of any party filed with the clerk of the court in accordance with the practice in civil cases, the court shall submit to a jury any question of fact involved in the case.
- (e)
 - (1) If the court determines that the Commission acted within its powers and correctly construed the law and facts, the court shall confirm the decision of the Commission.
 - (2) If the court determines that the Commission did not act within its powers or did not correctly construe the law and facts, the court shall reverse or modify the decision or remand the case to the Commission for further proceedings.

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